

Amendments to the Drawings:

Attached hereto are two Replacement Sheets labeling Figures 1-3 as "Prior Art".

Attachment:

Replacement Sheets:

Figures 1-2; and

Figure 3

REMARKS

Applicant has carefully reviewed and considered the Examiner's Action mailed October 27, 2006. Reconsideration is respectfully requested in view of the foregoing amendments and comments set forth below.

By this Amendment, the specification is revised, claims 2-4 are amended and claim 1 is canceled, and two replacement sheets amending Figures 1-3 are presented. Accordingly, claims 2-4 are pending in the present application.

The Office Action required Replacement drawing sheets of Figures 1-3 identifying those figures with the legend "Prior Art". Figures 1-3 of the originally-filed application are amended to designate the same as "Prior Art". Accordingly, it is submitted that this drawings requirement has been met and withdrawal of the requirement is requested.

The specification was objected to because of lack of a sentence describing the previously claimed priority of foreign applications. As set forth in the Amendments to the Specification, both the International Application and the Korean priority document are disclosed as being related to the present application.

On page 6 of the Action, middle of the page, the Examiner objects to lines 14-18 on page 8 of the originally-filed specification because length L1 is believed to be longer than length L2 in Figure 5 of the application. Patent drawings are not required to be drawn to scale and one of ordinary skill in the art looking at Figure 5 would have understood that length L2 includes segment "L2 - L1". That is, Figure 5 illustrates that length L2 is longer than L1 by the segment "L2 - L1". This is consistent with the

description on page 8 of the originally filed specification and it is believed that this objection should be withdrawn.

Claims 1-4 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite as explained in the section spanning pages 7-9 of the Action. The foregoing amendments to claims 2-4 address the areas raised by the Examiner both in this section and the claim objection section. Accordingly, it is submitted that claims 2-4 are fully definite under 35 U.S.C. §112, second paragraph and withdrawal of the indefiniteness rejection and claim objections are respectfully requested.

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,564,522 to Chiu-Ying '522 in view of U.S. Patent No. 4,856,250 to Gronau et al. (hereinafter referred to as "Gronau") for the reasons set forth on pages 10-12 of the Action. This rejection is respectfully traversed.

Chiu-Ying '522 discloses a fastening mount structure comprising a floor board 10, a fastening mount 20 and a soft padding 30, but, as the Examiner acknowledges, does not disclose a rail. The fastening mount 20 of Chiu-Ying has a first side with a T-shaped slide block 23 and two stays 25 and a second side formed with a T-shaped recess 27 that corresponds to the T-shaped slide block 23. As shown in Figures 4 and 5 of Chiu-Ying, one fastening mount 20 is combined with a neighboring fastening mount by fitting the T-shaped block 23 of one mount 20 into the T-shaped recess 27 of another mount 20. The fastening mounts taught by Chiu-Ying '522 are joined by lifting a T-shaped fastening mount recess 27 over the T-shaped block 23. There are no guide panels extending from a bottom surface of an attachment panel so that the attachment panel be installed movably and guided in the guide groove in the longitudinal direction of the rail. In other words, if

the fastening mounts 20 taught by Chiu-Ying '522 were put into a rail, such as taught by Gronau, the fastening mounts would have to be joined together because they cannot be assembled in the rail. The preassembly of the fastening mounts defeats the purpose of the claimed invention as it is the ability of the recited attachment panels being able to move in the rail together with the elastic member that draws adjacent attachment members toward one another that enables floor panels to be installed easily with tension so that gaps are not necessary between installed floor panels.

The recited attachment panel of the claim 2 is totally different from that of the fastening mount 20 disclosed in Chiu-Ying '522. The claimed attachment panel has a guide panel 31, which slides along the rail 20 in guide groove 21. As mentioned above, Chiu-Ying '522 does not disclose the recited guide panel, nor does the secondary reference to Gronau. The claimed invention further recites:

an elastic member arranged elastically between an attachment panel and an adjacent panel in order to have respective hook projections ... drawn toward each other by the elastic restoring force of the elastic member. (Claim 2, lines 17-20 of the present application)

Chiu-Ying '522 discloses a compression spring (as opposed to a tensioning spring) that are designed to become shorter when loaded. The claimed invention applies tension between adjacent attachment panels so that they are drawn to each other (i.e., the elastic member draws the two members together), in contrast to the compression spring of Chiu-Ying '522 which maintains the assembly of the adjacent fastener mounts by keeping pressure against a top plate 24 of the T-shaped block 23. That is, the elastic connection taught by Chiu-Ying '522 pushes one fastening mount 20 away from an adjacent fastening mount.

Gronau is directed to a sleeper for the attachment of covering material to a surface. The sleeper of Gronau comprises a guideway 10, a resilient strip 20, a nailing bed 30 and a spring 40 positioned at the end of a guideway 10. There is no disclosure in Gronau that would suggest modifying Chiu-Ying '522 to have a rail. In fact, Gronau teaches the use of a nailing strip where Chiu-Ying '522 discloses against using nails. Thus, it is unclear why one of ordinary skill in the art would combine the two technically different systems in the absence of Applicant's own disclosure.

Gronau fails to disclose the recited guide panels and provides no motivation to modify Chiu-Ying '522 so that the fastening means are moveable installed and guided in guide grooves of the rail as recited in the claimed invention. In order to assemble the fastening mounts 20 of Chiu-Ying '522 into guideway 10 of Gronau, the fastening mounts must be connected to one another before they are inserted into the guideway because of the structure of the T-shaped slide block 23 and T-shaped recess 27 in fastening mount 20. There is no other possible option for assembling the same. Thus, the fastening mounts 20 of Chiu-Ying '522 would be firmly engaged with one another in the guideway and, as a result, the movement of the fastening mounts 20 would not be smooth as compared with the moveable attachment panels along the guide groove of the claimed invention that allows easy and convenient assembly to the floor wall and/or ceiling (page 4, line 7 of the present application). Consequently, it is submitted that it would not have been obvious to one of ordinary skill in the art to combine the teachings of Chiu-Ying '522 and Gronau and arrive at the invention claimed by Applicant. Withdrawal of this rejection is respectfully requested.

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chiu-Ying '522 in view of Gronau and further in view of U.S. Patent No. 6,619,000 to Chiu-Ying as described in the paragraphs spanning pages 12-13 of the Action. Claim 3 was also rejected under 35 U.S.C. §103(a) as being unpatentable over Chiu-Ying '522 in view of Gronau and further in view of U.S. Patent No. 6,364,141 to Ehrgott as stated at the top of page 14 of the Action. Although the reasoning supplied by the Examiner on page 14 indicates that claim 4 should have been rejected by the combination including Ehrgott. Both rejections are respectfully traversed.

Nowhere does any of the applied art of record disclose, teach or suggest a long shaped rail with a lower surface, an upper surface on which the long flat panels are mounted **and** a guide groove extending in the longitudinal direction of the rail where a plurality of attachment panels are guided in the guide groove via guide panels extending from the bottom surface of the attachment panels, as recited in Applicant's independent claim 2. Further, the applied prior art does not disclose, teach or suggest the elastic member that draws adjacent attachment panels toward each other and are tensioned by the elastic member. Since claims 3 and 4 depend from claim 2 and claim 2 is not rendered obvious over any combination of the applied prior art, it is respectfully submitted that claims 3 and 4 would also be non-obvious to one of ordinary skill in the art and thus, are patentable over the applied art of record.

In view of the foregoing, it is respectfully submitted that claims 2-4 are allowable over the prior art of record. Reconsideration of the application, withdrawal of the objections and rejections and an issuance of a Notice of Allowance are earnestly solicited.

If the Examiner is of the opinion that the prosecution of the application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,

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